## Exhibit A



One Citizens Plaza, 8th floor Providence, RI 02903·1345 Telephone 401·274·7200 Fax 401·751·0604 / 351·4607

175 Federal Street Boston, MA 02110-2210 Telephone 617-482-0600 Fax 617-482-0604

www.apslaw.com

August 28, 2017

#### VIA CERTIFIED MAIL

DR. DENTAL OF LOWELL, P.C. 1235 BRIDGE ST. LOWELL, MA 01850

Re: Cease and Desist –Infringement of DR. DENTAL

To Whom It May Concern:

Our law firm represents IADMD Holdings, LLC ("IADMD"). IADMD is the owner of the following United States Federal Trademark Registrations:

Registration No. 4962933 for the mark DOCTOR DENTAL for Charitable services, namely, coordination of the procurement and distribution of dental health services from dentists to needy people; Charitable services, namely, promoting dental services for others; Charitable services, namely, organizing and developing projects that aim to improve the lives of underprivileged and impoverished people; Dentist services; Providing a website featuring information for dentists on the subject of treatments and procedures related to dentistry; Providing a website featuring information for patients in the field of dental health; providing news and information in the field of dentistry; Charitable outreach services, namely, providing counseling services in the field of dental health; Providing information about dentistry, dental health, oral hygiene, oral disease, dental cures, dental medicine, dental diagnosis, dental treatment, dental counseling, and dental advice via the Internet;

Registration No. 4886106 for the mark DR DENTAL for Charitable services, namely, coordination of the procurement and distribution of dental health services from dentists to needy people; Charitable services, namely, promoting dental services for others; Charitable services, namely, organizing and developing projects that aim to improve the lives of underprivileged and impoverished people; Dentist services; Providing a website featuring information for dentists on the subject of treatments and procedures related to dentistry; Providing a website featuring information for patients in the field of dental health; providing news and information in the field of dentistry; Charitable outreach services, namely, providing counseling services in the field of dental health; Providing information about dentistry, dental health, oral hygiene, oral disease, dental cures, dental medicine, dental diagnosis, dental treatment, dental counseling, and dental advice via the Internet:

### ADLER POLLOCK & SHEEHAN P.C.

DR. DENTAL OF LOWELL, P.C. August 28, 2017 Page 2

Registration No. 4250602 for the mark DR DENTAL for Dentist services; Providing a website featuring information for dentists on the subject of treatments and procedures related to dentistry; Providing a website featuring information for patients in the field of dental health; and

Registration No. 3300322 for the mark DOCTOR DENTAL MD for providing information about dentistry, dental health, oral hygiene, oral disease, dental cures, dental medicine, dental diagnosis, dental treatment, dental counseling, dental advice and vendors, and patients via the Internet (collectively "DR DENTAL Trademarks"). Copies of the DR DENTAL Trademarks which have been in use since at least February 2004 and provide IADMD with exclusive rights to use the DR DENTAL Trademarks throughout the United based on its federal registrations and common law rights are enclosed.

It has recently come to our attention that you are operating dentistry services under the name DR. DENTAL without permission from IADMD. We have also become aware of the advertisement and promotion of dentistry services on the website <a href="www.mydrdental.com">www.mydrdental.com</a>. In addition to the strong likelihood of confusion arising out of your use of the DR. DENTAL name for dental services and related uses, we believe there to have been actual confusion in the marketplace among the relevant consumer population.

Your unauthorized use of IADMD's trademark is likely to, and, we believe, has caused consumers to mistakenly believe that you are licensed by or otherwise affiliated with IADMD when you are not. You should understand that the ramifications of your infringement are serious, far-reaching and potentially quite expensive. Remedies for such conduct under the federal trademark laws include injunctive relief, awards of damages, costs of suit and your profits. Many of the same remedies are also available under state laws.

Accordingly, you must immediately cease all use of IADMD's trademark in association with the provision of dental services, including without limitation on any website, signage, advertising and promotional materials relating to the services you provide. In addition, we must receive from you:

- 1. Your written confirmation that you will immediately cease, and shall not recommence, the unauthorized use of any IADMD trademarks of any marks that may be confusingly similar to IADMD trademarks;
- 2. A detailed accounting of the sales associated with your use of IADMD's trademark since 2010; and

## ADLER POLLOCK @ SHEEHAN P.C.

DR. DENTAL OF LOWELL, P.C. August 28, 2017 Page 3

3. A detailed list of your current, past, and potential clients so that IADMD may decide whether to inform them of the violation of its trademark to limit the harm to IADMD's reputation.

This letter is written without prejudice to any of our client's rights and remedies all of which are expressly reserved.

Very truly yours,

JEFFREY K. TECHENTIN

**Enclosures** 

cc: Registered Agent for Service of Process (JULIA O. FAIGEL, D.M.D.)

1235 BRIDGE ST. LOWELL, MA 01850

## Anited States of America United States Patent and Trademark Office

## DOCTOR DENTAL

Reg. No. 4,962,993

IADMD HOLDINGS, LLC (NEW HAMPSHIRE LIMITED LIABILITY COMPANY)

Registered May 24, 2016 BRISTOL, RI 02809

**3 WILCOX STREET** 

Int. Cls.: 35 and 44

SERVICE MARK

PRINCIPAL REGISTER

FOR: CHARITABLE SERVICES, NAMELY, COORDINATION OF THE PROCUREMENT AND DISTRIBUTION OF DENTAL HEALTH SERVICES FROM DENTISTS TO NEEDY PEOPLE; CHARITABLE SERVICES, NAMELY, PROMOTING DENTAL SERVICES FOR OTHERS; CHARITABLE SERVICES, NAMELY, ORGANIZING AND DEVELOPING PRO-JECTS THAT AIM TO IMPROVE THE LIVES OF UNDERPRIVILEGED AND IMPOVERISHED PEOPLE, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 2-28-2004; IN COMMERCE 2-28-2004.

FOR: DENTIST SERVICES; PROVIDING A WEBSITE FEATURING INFORMATION FOR DENTISTS ON THE SUBJECT OF TREATMENTS AND PROCEDURES RELATED TO DENTISTRY; PROVIDING A WEBSITE FEATURING INFORMATION FOR PATIENTS IN THE FIELD OF DENTAL HEALTH; PROVIDING NEWS AND INFORMATION IN THE FIELD OF DENTISTRY; CHARITABLE OUTREACH SERVICES, NAMELY, PROVIDING COUN-SELING SERVICES IN THE FIELD OF DENTAL HEALTH; PROVIDING INFORMATION ABOUT DENTISTRY, DENTAL HEALTH, ORAL HYGIENE, ORAL DISEASE, DENTAL CURES, DENTAL MEDICINE, DENTAL DIAGNOSIS, DENTAL TREATMENT, DENTAL COUNSELING, AND DENTAL ADVICE VIA THE INTERNET, IN CLASS 44 (U.S. CLS. 100 AND 101).



FIRST USE 2-28-2004; IN COMMERCE 2-28-2004.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PAR-TICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NOS. 3,300,322 AND 4,250,602.

SER. NO. 86-716,516, FILED 8-6-2015.

Director of the United States

Michelle K. Len

LINDA LAVACHE, EXAMINING ATTORNEY

Patent and Trademark Office

### REQUIREMENTS TO MAINTAIN YOUR FEDERAL TRADEMARK REGISTRATION

WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.

Requirements in the First Ten Years\*
What and When to File:

First Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. See 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.

Second Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between the 9th and 10th years after the registration date.\*

See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods\* What and When to File:

You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.\*

#### **Grace Period Filings\***

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

\*ATTENTION MADRID PROTOCOL REGISTRANTS: The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the United States Patent and Trademark Office (USPTO). The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. See 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. See 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see http://www.wipo.int/madrid/en/.

NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at http://www.uspto.gov.

NOTE: A courtesy e-mail reminder of USPTO maintenance filing deadlines will be sent to trademark owners/holders who authorize e-mail communication and maintain a current e-mail address with the USPTO. To ensure that e-mail is authorized and your address is current, please use the Trademark Electronic Application System (TEAS) Correspondence Address and Change of Owner Address Forms available at http://www.uspto.gov.

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## Anited States of America United States Batent and Trademark Office

## DR DENTAL

Reg. No. 4,886,106

IADMD HOLDINGS, LLC (NEW HAMPSHIRE LIMITED LIABILITY COMPANY)

Registered Jan. 12, 2016 BRISTOL, RI 02809

3 WILCOX STREET

Int. Cls.: 35 and 44

SERVICE MARK

PRINCIPAL REGISTER

FOR: CHARITABLE SERVICES, NAMELY, COORDINATION OF THE PROCUREMENT AND DISTRIBUTION OF DENTAL HEALTH SERVICES FROM DENTISTS TO NEEDY PEOPLE; CHARITABLE SERVICES, NAMELY, PROMOTING DENTAL SERVICES FOR OTHERS; CHARITABLE SERVICES, NAMELY, ORGANIZING AND DEVELOPING PRO-JECTS THAT AIM TO IMPROVE THE LIVES OF UNDERPRIVILEGED AND IMPOVERISHED PEOPLE, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 2-28-2004; IN COMMERCE 2-28-2004.

FOR: DENTIST SERVICES; PROVIDING A WEBSITE FEATURING INFORMATION FOR DENTISTS ON THE SUBJECT OF TREATMENTS AND PROCEDURES RELATED TO DENTISTRY; PROVIDING A WEBSITE FEATURING INFORMATION FOR PATIENTS IN THE FIELD OF DENTAL HEALTH; PROVIDING NEWS AND INFORMATION IN THE FIELD OF DENTISTRY; CHARITABLE OUTREACH SERVICES, NAMELY, PROVIDING COUN-SELING SERVICES IN THE FIELD OF DENTAL HEALTH; PROVIDING INFORMATION ABOUT DENTISTRY, DENTAL HEALTH, ORAL HYGIENE, ORAL DISEASE, DENTAL CURES, DENTAL MEDICINE, DENTAL DIAGNOSIS, DENTAL TREATMENT, DENTAL COUNSELING, AND DENTAL ADVICE VIA THE INTERNET, IN CLASS 44 (U.S. CLS. 100 AND 101).



FIRST USE 2-28-2004; IN COMMERCE 2-28-2004.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PAR-TICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NOS. 3,300,322 AND 4,250,602.

SER. NO. 86-716,488, FILED 8-6-2015.

Michelle K. Zen Director of the United States

LINDA LAVACHE, EXAMINING ATTORNEY

Patent and Trademark Office

### REQUIREMENTS TO MAINTAIN YOUR FEDERAL TRADEMARK REGISTRATION

WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.

Requirements in the First Ten Years\* What and When to File:

First Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. See 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.

Second Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between the 9th and 10th years after the registration date.\*

See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods\* What and When to File:

You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.\*

#### **Grace Period Filings\***

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

\*ATTENTION MADRID PROTOCOL REGISTRANTS: The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the United States Patent and Trademark Office (USPTO). The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. See 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. See 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see http://www.wipo.int/madrid/en/.

NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at http://www.uspto.gov.

NOTE: A courtesy e-mail reminder of USPTO maintenance filing deadlines will be sent to trademark owners/holders who authorize e-mail communication and maintain a current e-mail address with the USPTO. To ensure that e-mail is authorized and your address is current, please use the Trademark Electronic Application System (TEAS) Correspondence Address and Change of Owner Address Forms available at <a href="http://www.uspto.gov">http://www.uspto.gov</a>.

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## United States of America Marital States Batont and Arahomark Office United States Patent and Trademark Office

# Dr Dental

Reg. No. 4,250,602

ROSE DIMARIA (UNITED STATES INDIVIDUAL)

Registered Nov. 27, 2012 EAST HAMPSTEAD, NH 03826

33 WEBBER ROAD

Int. Cl.: 44

FOR: DENTIST SERVICES; PROVIDING A WEBSITE FEATURING INFORMATION FOR DENTISTS ON THE SUBJECT OF TREATMENTS AND PROCEDURES RELATED TO DENTISTRY: PROVIDING A WEBSITE FEATURING INFORMATION FOR PATIENTS IN THE FIELD OF DENTAL HEALTH, IN CLASS 44 (U.S. CLS. 100 AND 101).

SERVICE MARK

FIRST USE 2-28-2004; IN COMMERCE 2-28-2004.

PRINCIPAL REGISTER

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PAR-

TICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NO. 3,300,322.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "DENTAL", APART FROM THE

MARK AS SHOWN.

SN 85-199,236, FILED 12-16-2010.

KYLE PEETE, EXAMINING ATTORNEY



### REQUIREMENTS TO MAINTAIN YOUR FEDERAL TRADEMARK REGISTRATION

WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.

Requirements in the First Ten Years\*
What and When to File:

First Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. See 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.

Second Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between the 9th and 10th years after the registration date.\*

See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods\* What and When to File:

You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.\*

#### **Grace Period Filings\***

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

The United States Patent and Trademark Office (USPTO) will NOT send you any future notice or reminder of these filing requirements.

\*ATTENTION MADRID PROTOCOL REGISTRANTS: The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the USPTO. The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. See 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. See 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see http://www.wipo.int/madrid/cn/.

NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at http://www.uspto.gov.

Int. Cl.: 44

Prior U.S. Cls.: 100 and 101

United States Patent and Trademark Office Registered Sep. 25, 2007

#### SERVICE MARK SUPPLEMENTAL REGISTER

### **Doctor Dental MD**

DIMARIA, ROSE (UNITED STATES INDIVI-DUAL) 39 WEBBER ROAD EAST HAMPSTEAD, NH 03826

FOR: PROVIDING INFORMATION ABOUT DENTISTRY, DENTAL HEALTH, ORAL HYGIENE, ORAL DISEASE, DENTAL CURES, DENTAL MEDICINE, DENTAL DIAGNOSIS, DENTAL TREATMENT, DENTAL COUNSELING, DENTAL ADVICE AND VENDORS, AND PATIENTS VIA THE INTERNET, IN CLASS 44 (U.S. CLS. 100 AND 101).

FIRST USE 2-27-2007; IN COMMERCE 2-27-2007.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

SER. NO. 78-612,948, FILED P.R. 4-20-2005; AM. S.R. 5-31-2007.

WARREN L. OLANDRIA, EXAMINING ATTORNEY